

THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition (M/S) No. 617 of 2006

Rajendra Kuamr Sharma, S/O Late Sri Ram Krishan Sharma
R/O Mandi House, Opposite Punjab National Bank,
Haridwar, Tehsil and District Haridwar.

.... Petitioner.

Versus

1. District Judge, Haridwar, District Haridwar.
2. Dayali Ram, S/O Shri Badri Prasad, at present,
R/O Hatikhana, Haridwar
Tehsil and District Haridwar.

..... Respondents.

Sri Lokpal Singh, learned counsel for the petitioner.

Sri Nand Prasad, learned Standing Counsel for the respondent no. 1.

Dated 23-05-2006

Hon'ble B.S. Verma, J.

Heard learned counsel.

The only prayer made in this writ petition by the petitioner is for a direction to the District Judge Haridwar-respondent no.1 to decide the S.C.C. Revision No. 24 of 2005, Shri Dayali Ram Vs. Rajendra expeditiously, which has been filed by the respondent no.2 against the petitioner.

Is it alleged by the petitioner, that the petitioner is the landlady and the respondent no. 2 was her tenant, who committed default in payment of rent. It is also alleged that the tenant-respondent no. 2 made material alteration and changed the nature of the property in suit from residential to commercial purpose. Ultimately, the S.C.C. Suit No.2 of 1998, Rajendra Kumar Vs. Dayali Ram was filed in the court of J.S.C.C./Civil Judge (Jr. Division) Haridwar, which was contested by the respondent no.2 he tried to linger on the proceedings, but finally the suit was decreed vide judgment and decree dated 15-09-2005. Aggrieved the respondent no.2 preferred a Revision which was registered as

S.C.C. Revision No.24 of 2005 before the District Judge. According to the petitioner, he has been contesting the proceedings for eviction of the tenant since the year 1998. In the revisional court also, the revisionist- respondent no.2 has been seeking adjournment so as to linger-on the proceedings before the respondent no. 1 and to drag the petitioner in prolonged proceedings.

In the facts and circumstance of the case, it will be in the interest of justice to direct the District Judge Haridwar to decide the aforesaid S.C.C. Revision on priority basis expeditiously.

The District Judge Haridwar is accordingly directed to decide the said S.C.C. Revision expeditiously preferably within a period of six months from the date of production of certified copy by the petitioner. Both the parties shall co-operate with the court concerned in the expeditious disposal of the S.C.C. Revision No.24 of 2005, Dayali Ram Vs. Rajendra.

With the above observation, the writ petition is dispose of finally.

(B.S. Verma, J.)

23-05-2006
RCP